KA / BG-GPO / 2515 / WPP-47 / 2009-2011

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೫	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಫೆಬ್ರವರಿ ೨೫, ೨೦೧೦ (ಫಾಲ್ಗುಣ ೬, ಶಕ ವರ್ಷ ೧೯೩೧)	ಸಂಚಿಕೆ ೮

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 5 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 1ನೇ ಫೆಬ್ರವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 23ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Representation of the People (Amendment) Act, 2009 (Act No. 41 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd December, 2009/Pausa 2, 1931 (Saka)

The following Act of Parliament received the assent of the President on the 22nd December, 2009 and is hereby published for general information:-

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2009

No. 41 OF 2009

[22nd December, 2009]

An Act further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951.

BE it enacted by parliament in the Sixtieth Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

1. Short title and commencement: (1) This Act may be called Representation of the People (Amendment) Act, 2009

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

AMENDMENTS TO THE REPRESENTATION OF THE PEOPLE ACT, 1950

2. Amendment of section 24: In section 24 of the Representation of the People Act, 1950 (43 of 1950) ;

(i) in clause (a), for the words "chief electoral officer" the words "district magistrate or additional district magistrate or executive magistrate or district collector or an officer of equivalent rank" shall be substituted;

(ii) after clause(a), the following clause shall be inserted, namely:

"(b) to the chief electoral officer, from any order of the district magistrate or the additional district magistrate under clause (a)"

3. Amendment of the Second Schedule: In the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), against serial number 18 relating to the State of Mizoram, in column 7, for the entry "38" the entry "39" shall be substituted.

CHAPTER III

AMENDMENT TO THE REPRESENTATION OF THE PEOPLE ACT, 1951

4. Amendment of section 8A: In the Representation of the People Act, 1951(43 of 1951) (hereinafter referred to as the principal Act), in sub-section (1) of section 8A, for the words "as soon as may be after such order takes effect" the words "as soon as may be within a period of three months from the date such order takes effect" shall be substituted.

5. Amendment of section 34: In section 34 of the principal Act, in sub-section (1),-

(i) in clause (a), for the words "a sum of ten thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of five thousand rupees" the words "a sum of twenty-five thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of twelve thousand five hundred rupees" shall be substituted;

(ii) in clause (b), for the words "a sum of five thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of two thousand five hundred rupees" the words "a sum of ten thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of five thousand rupees" shall be substituted.

6. Amendment of section 123: In section 123 of the principal Act, in clause (7),-

(i) for the words "from any person in the service of the Government" the words "from any person whether or not in the service of the Government " shall be substituted;

(ii) after sub-clause (g), the following sub-clause shall be inserted, namely:-

"(h) class of persons in the service of a local authority, university, government company or institution or concern or undertaking appointed or deputed by the Election Commission in connection with the conduct of elections",

7. Insertion of new sections 126A and 126B: After section 126 of the principal Act, the following sections shall be inserted, namely:

"126A. Restriction on publication and dissemination of result of exit polls, etc: (1) No. person shall conduct any exit poll and publish or publicise by means of the print or electronic media or disseminate in any other manner, whatsoever, the result of any exit poll during such period, as may be notified by the Election Commission in the regard.

(2) For the purposes of sub-section (1), the Election Commission shall, by a general order, notify the date and time having due regard to the following, namely:-

(a) in case of a general election, the period may commence from the beginning of the hours fixed for poll on the first day of poll and continue till half an hour after closing of the poll in all the States and Union territories;

(b) in case of a bye-election or a number of bye-elections held together, the period may commence from the beginning of the hours fixed for poll on and from the first day of poll and continue till half an hour after closing of the poll:

Provided that in case of a number of bye-elections held together on different days, the period may commence from the beginning of the hours fixed for poll on the first day of poll and continue till half an hour after closing of the last poll.

(3) Any person who contravenes the provisions of this section shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

Explanation:- For the purposes of this section,-

(a) "exit poll" means an opinion survey respecting how electors have voted at an election or respecting how all the electors have performed with regard to the identification of a political party or candidate in an election;

(b) "electronic media" includes internet, radio and television including Internet Protocol Television, satellite, terrestrial or cable channels, mobile and such other media either owned by the Government or private person or by both;

(c) "print media" includes any newspaper, magazine or periodical, poster, placard, handbill or any other document;

(d) "dissemination" includes publication in any "print media" or broadcast or display on any electronic media.

126B. Offences by companies: (1) Where an offence under sub-section (2) of section 126A has been committed by a company, every person who, at the time the offence was committed, was in charge of and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:- For the purpose of this section

(a) "company" means any body corporate, and includes a firm or other association of individuals, and

(b) " director", in relation to a firm, means a partner in the firm.'

V.K. BHASIN,

Secy, to the Govt of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 7

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 6 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 1ನೇ ಫೆಬ್ರವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 23ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Workmen's Compensation (Amendment) Act, 2009 (Act No. 45 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd December, 2009/Pausa 2, 1931 (Saka)

The following Act of Parliament received the assent of the President on the 22nd December, 2009 and is hereby published for general information:-

THE WORKMEN'S COMPENSATION (AMENDMENT) ACT, 2009

No. 45 OF 2009

[22nd December, 2009]

An Act further to amend the Workmen's Compensation Act, 1923.

BE it enacted by parliament in the Sixtieth Year of the Republic of India as follows:

1. Short title and commencement: (1) This Act may be called the Workmen's Compensation (Amendment) Act, 2009

(2) It shall come into force on such date a the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of long title: In the long title to the Workmen's Compensation Act, 1923 (8 of 1923) (hereinafter referred to as the principal Act), for the word "workmen" the word "employees" shall be substituted.

3. Amendment of preamble: In the principal Act, in the preamble, for the word "workmen" the word "employees" shall be substituted.

4. Amendment of section 1 : In section 1 of the principal Act, in sub-section (1), for the word" Workmen's the word "Employee's" shall be substituted.

5. Substitution of references to certain expressions by certain other expressions: Throughout the principal Act, for the words "workman" and "workmen" wherever they occur, the words "employee" and "employees" shall respectively be substituted, and such other consequential amendments as the rules of grammar may require shall also be made.

6. Amendment of section 2 : In section 2 of the principal Act, in sub-section (1)-

(i) after clause (d), the following clause shall be inserted, namely:-

"(dd) "employee" means a person, who is-

(i) a railway servant as defined in clause (34) of section 2 of the Railways Act, 1989,(24 of 1989) not permanently employed in any administrative district or sub-divisional office of a railway and not employed in any such capacity as is specified in Schedule II; or

(ii) (a) a master, seaman or other member of the crew of a ship,

(b) a captain or other member of the crew of an aircraft,

(c) a person recruited as driver, helper, mechanic cleaner or in any other capacity in connection with a motor vehicle,

(d) a person recruited for work abroad by a company,

and who is employed outside India in any such capacity as is specified in Schedule II and the ship, aircraft or motor vehicle, or company, as the case may be, is registered in India; or

(iii) employed in any such capacity as is specified in Schedule II, whether the contract of employment was made before or after the passing of this Act and whether such contract is expressed or implied oral or in writing; but does not include any person working in the capacity of a member of the Armed Forces of the Union; and any reference to any employee who has been injured shall, where the employee is dead, include a reference to his dependants or any of them;

(ii) clause (n) shall be omitted.

7. Amendment of section 4 : In section 4 of the principal Act,

(a) in sub-section (1)-

(i) in clause (a), for the words "eighty thousand rupees" the words "one lakh and twenty thousand rupees" shall be substituted;

(ii) in clause (b), for the words "ninety thousand rupees", the words "one lakh and forty thousand rupees" shall be substituted;

(iii) after clause (b), the following proviso shall be inserted, namely:-

"Provided that the Central Government may, by notification in the Official Gazette, from time to time enhance the amount of compensation mentioned in clauses (a) and (b)",

(iv) after clause (b), Explanation II shall be omitted;

(b) after sub-section (1A), the following sub-section shall be inserted, namely:-

"(IB) The Central Government may, by notification in the Official Gazette, specify, for the purposes of sub-section (1) such monthly wages in relation to an employee as it may consider necessary""

(c) after sub-section (2), the following sub-section shall be inserted, namely:-

"(2A) The employee shall be reimbursed the actual medical expenditure incurred by him for treatment of injuries caused during the course of employment",

(d) in sub-section (4),-

(A) for the words "two thousand and five hundred rupees", the words "not less than thousand rupees" shall be substituted;

(B) the following proviso shall be inserted, namely:-

"Provided that the Central Government may, by notification in the Official Gazette, from time to time, enhance the amount specified in this sub-section",

8. Amendment of section 20: In section 20 of the principal Act, in sub-section (1), after the words "appoint any person" the words "who is or has been a member of a State Judicial Service for a period of not less than five years or is or has been for not less than five years an advocate or a pleader or is or has been a Gazette Officer for not less than five years having educational qualifications and experience in personnel management, human resource development and industrial relations" shall be inserted.

9. Insertion of new section 25A: After section 25 of the principal Act, the following section shall be inserted, namely:-

"25A. Time limit for disposal of cases relating to compensation : The Commissioner shall dispose of the matter relating to compensation under this Act within a period of three months from the date of reference and intimate the decision in respect thereof within the said period to the employee",

10. Amendment of Schedule II : In Schedule II to the principal Act-

(i) for the word, figures, brackets and letter "section 2 (1) (n)" wherever they occur, the word, figures, brackets and letters "section 2 (1) (dd)" shall be substituted;

(ii) in item (i), for the words "employed, otherwise than in a clerical capacity or on a railway", the words "employed in railways" shall be substituted;

(iii) in item (ii), the words "otherwise than in a clerical capacity" shall be omitted;

(iv) in item (iii), the words "wherein or within the precincts whereof twenty or more persons are so employed" shall be omitted;

(v) in item(v), the words "other than clerical work" shall be omitted;

(vi) in item(vi)-

(a) clause (b) shall be omitted;

(b) in clause (c), the words, brackets and letter "or sub-clause (b)" shall be omitted;

(vii) in item (x), the words "otherwise than in a clerical capacity" shall be omitted;

(viii) in item (xiv), the words "otherwise than in a clerical capacity" shall be omitted;

(ix) in item (xvi), the words "in which on any one day of the preceding twelve months more than twenty-five persons have been employed" shall be omitted;

(x) for item (xviii), the following item shall be substituted, namely:-

"(xviii) employed on any estate which is maintained for the purpose of growing cardamom, cinchona, coffee, rubber or tea; or",

(xi) in item (xix), the words "otherwise than in a clerical capacity" shall be omitted;

(xii) in item (xxvi)-

(a) in clause (a) the words "and in which on any one day of the preceding twelve months terrior more persons have been so employed" shall be omitted;

(b) in clause (b), the words "in which on any one day of the preceding twelve months fifty or more persons have been so employed" shall be omitted;

(xiii) in item (xxx), the words "otherwise than in a clerical capacity" shall be omitted;

(xiv) in items (xi)and (xli), the words "in a which on any one day of the preceding twelve months more than twenty-five persons have been employed" shall be omitted;

(xv) the Explanation occurring after item (xlix) at the end shall be omitted.

V.K. BHASIN,

Secy, to the Govt of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 8

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 8 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 10ನೇ ಫೆಬ್ರವರಿ, 2010

2010ನೇ ಸಾಲಿನ ಜನವರಿ 23ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 (No. 1 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd January, 2010/Magha 3, 1931 (Saka)

THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (AMENDMENT AND VALIDATION) ORDINANCE, 2010

Promulgated by the President in the Sixtieth Year of the Republic of India

An Ordinance further to amend the Ancient Monuments and Archaeological Sites and Remains Act 1958 and to make provision for validation of certain actions taken by the Central Government for public purposes under the said Act.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for her to take immediate action.

NOW, THEREFORE in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:-

1. Short title and commencement: (1) This Ordinance may be called the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance 2010.

(2) It shall come into force at once.

2. Amendment of section 2: On and from the 16th day of June 1992 in the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) (hereinafter referred to as the principal Act), in section 2-

(a) after clause (h), the following clause shall be inserted and shall be deemed to have been inserted, namely:

(ha)""prohibited area" means any area declared by the Central Government to be prohibited area under section20A",

(b) after clause (j) the following clause shall be inserted and shall be deemed to have been inserted, namely:

(k) "regulated area" means any area declared by the Central Government under section 20B,''

3. Insertion of new heading and new section 20A, 20B, 20C and 20D: On and from the 16th day of June, 1992 after section 20 of the principal Act, the following shall be inserted and shall be deemed to have been inserted namely:

PROHIBITED AREA AND REGULATED AREA NEAR OR ADJOINING PROJECTED MONUMENTS

20A. Declaration of prohibited areas and carrying out of public work in prohibited areas: (1) The Central Government may, on the recommendation of an Expert Advisory Committee constituted under section 20D. by notification in the Official Gazette declare from time to time in accordance with the procedure as may be prescribed any area near any protected monument or its adjoining area to be a prohibited area in respect of such protected monument.

(2) No person, other than an archaeological officer, shall carry out any construction in any prohibited area referred to in sub-section (1).

(3) In a case where the Central Government is satisfied that-

(a) it is necessary or expedient for carrying out such public work or any project essential to the public as may be notified in the Official Gazette; and

(b) such work in its opinion, shall not have any substantial adverse impact on the preservation, safety, security of or access to the monument or its immediate surrounding.

it may, notwithstanding any thing contained in sub-section (2) in exceptional cases. Having regard to the public interest by order and for reasons to be recorded in writing, permit such public work or project essential to the public to be carried out.

(4) The Director- General may, on the recommendation of an Expert Advisory Committee constituted under section 20D notwithstanding anything contained in sub-section (2) in exceptional cases. Permit a person to carry out any construction activity in a prohibited area referred to in sub-section (1) in accordance with the terms and conditions of a special permission granted by him in accordance with the rules as may be made by the Central Government.

Provided that any area any protected monument or its adjoining area declared during the period beginning on or after the 16th day of June, 1992 but ending before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 as a prohibited area in respect of such protected monument shall be deemed to be the prohibited area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted for construction of any public work or project essential to the public or special permission granted for construction, notwithstanding that such public work or project essential to the public or special permission, had not been notified, in respect of such prohibited area without having obtained recommendations of the Expert Advisory Committee or any other Committee or such notification had not been laid before Parliament, shall be and shall be deemed to have been validly granted in accordance with the provisions of this Act.

20B. Declaration of regulated area in respect of every protected monument and regulation of construction activities in such area: (1) The Central Government may, on the recommendation of an Expert Advisory Committee constituted under section 20D. by notification in the Official Gazette, declare from time to time in accordance with the procedure as may be prescribed any area (whether near any prohibited area in respect of protected monument or not, or its adjoining area) to be a regulated area in respect of such protected monument.

(2) The Director-General may, on the recommendation of an Expert Advisory Committee constituted under section 20D. permit a person to carry out any construction activity in a regulated area referred to in sub-section (1) in accordance with the terms and conditions of a licence granted by him in accordance with the rules as may be made by the Central Government.

Provided that any area near any protected monument or its adjoining area declared during the period beginning on or after the 16th day of June 1992 but ending before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010. as a regulated area in respect of such protected monument shall be deemed to be the regulated area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted for construction in such regulated area shall notwithstanding anything contained in sub-section (1) and this sub-section or that such notification had not been laid before Parliament be deemed to have been validly granted in accordance with the provisions of this Act.

(3) Every notification issued under section 20A and this section shall be laid before each House of Parliament

20C. Repair renovation re-construction or construction in prohibited or regulated area: (1) If any person.

(a) owns any building or construction, which existed in a prohibited area before the 16th day of June 1992 or had been constructed with the approval of the Director-General and he desires to carry out any repair or renovation or re-construction of such building or construction ;or

(b) owns or possesses any building or construction or land in any regulated area. And he desires to carry out any repair or renovation or re-construction or construction of such building or construction on such land as the case may be.

he may make an application to the Director-General for such repair or renovation or re-construction or construction as the case may be.

(2) The Director-General on receipt of any application, under sub-section (1) may, on the recommendation of an Expert Advisory Committee constituted under section 20D, by order and for reasons to be recorded in writing permit, subject to such terms and conditions as may be specified in the permission, the carrying out of the repair or renovation work or re-construction of any building or construction referred to in that sub-section, without causing any damage to the protected monument.

(3) Every order for grant of permission under sub-section (2) shall be made within three months from the date of receipt of the application.

(4) In case the Director-General refuses to grant permission under sub-section (2), he shall by order in writing intimate such refusal with in three months from the date of receipt of the application.

(5) If the Director-General, after grant of the permission under sub-section (2) and during the carrying out of the repair or renovation work or re-construction of building or construction referred to in that subsection is of the opinion (on the basis of material in his possession or otherwise) that such repair or renovation work or re-construction of building or construction is likely to have an adverse impact on the preservation safety, security or access to the monument considerably he may withdraw the permission granted under sub-section (2).

(6) Every order and every permission of the Director-General under this Act shall be exhibited in the website of the Archaeological Survey of India.

20D. Expert Advisory Committee: (1) The Central Government may by notification in the Official Gazette constitute one or more Expert Advisory Committees for the purposes of section 20A. 20B and 20C for making recommendations.

Provided that until such time an Expert Advisory Committee is constituted under this sub-section the Expert Committee constituted by the Director-General before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 and functioning as such before such commencement shall be deemed to be an Expert Advisory Committee under sub-section (1);

Provided further that the Expert Committee constituted by the Director-General before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 and functioning as such before such commencement shall cease to be the Expert Advisory Committee immediately after constitution of an Expert Advisory Committee under sub-section (1).

(2) Every reference for seeking recommendations of the Expert Advisory Committee by or under this Act shall be made by the Central Government or the Director-General as the case may be.

(3) The Expert Advisory Committee shall within two months of the receipt of a reference, forward its recommendations to the Central Government or the Director-General, as the case may be.

(4) An Expert Advisory Committee shall consist of the Director General or his nominee as its Chairperson and such number of other members not exceeding six persons having proven experience and expertise in the field, of archaeology, country and town planning architecture, heritage, landscape architecture conservation architecture urban planning, civil engineering law or culture.

(5) The Central Government or the Director-General as the case may be shall exhibit in their website all the recommendations of the Expert Advisory Committee.

(6) The Expert Advisory Committee shall regulate its own procedure for the purposes of holding its meetings (including quorum of such meetings) and making recommendations under this Act.

(7) The Expert Advisory Committee shall mention in its recommendation as to whether any construction in any prohibited area or regulated area is likely to have any substantial adverse impact on the preservation, safety, security of or access to the monument or its immediate surrounding.

(8) The members of the Expert Advisory Committee shall be entitled to such fees as may be prescribed and such fee shall be payable by the Central Government or Director-General who makes a reference for seeking its recommendations.

4. Validation of action taken etc., under notification No. S.O. 1764 dated 16th June 1992: Notwithstanding anything contained in any judgement decree or order of any court tribunal or other authority;

(a) any thing done or purported to be done or any action taken or purported to be taken by the Central Government immediately before the commencement of this Ordinance in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 1764 dated the 16th June 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules,. 1959 shall be deemed to be and deemed to have always been done or taken validly and in accordance with law at all material times and no action taken or thing done (including any order made. Agreement entered into or notification issued for constitution any Expert Advisory Committee or any other Committee) in connection with any permission granted or license issued for any construction activity in a prohibited area or a regulated area in respect of a protected monument shall be deemed to be invalid or ever to have become invalid mercly on the ground that the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) or the rules, orders or notifications issued thereunder did not contain any provision for constitution of an Expert Advisory Committee under sub-section (1) of section 20D or notifications had not been laid before Parliament for grant of such permission or licence as the case may be;

(b) no suit claim or other proceedings shall be instituted. Maintained or continued in any court tribunal or other authority for any permission or licence granted by the Central Government or the Director-General under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) or any rule. Order or notification made thereunder for carrying out any repair, renovation or construction work or for undertaking any public work or public project before the commencement of this Ordinance;

(c) no claim or challenge shall be made in or entertained by any court tribunal or other authority solely on the ground that the Central Government or the Director-General did not take into consideration any of the provisions of the Ancient Monuments and Archeological Sites and Remains Act, 1958 (24 of 1958) a amended by the Ancient Monuments and Archaeological Sites and Ramains (Amendment and Validation) Ordinance, 2010, in granting any permission or licence for the purpose of carrying out any

mining or repair, renovation or construction work in a prohibited area or a regulated area at any time between the 16th day of June 1992 and the date of commencement of this Ordinance.

PRATIBHA DEVISINGH PATIL

President

V.K. BHASIN,

Secy, to the Govt of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 9

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 9 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ಫೆಬ್ರವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 31ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Constitution (Ninety-Fifth Amendment) Act, 2009 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 19th January, 2010/Pausa 29, 1931(Saka)

The following Act of Parliament, after having been ratified by the Legislatures of not less than one half of the States by resolutions to that effect, received the assent of the resident on the 18th January, 2010, and is hereby published for general information:-

THE CONSTITUTION (NINETY-FIFTH AMENDMENT) ACT, 2009

[18th January, 2010]

An Act further to amend the Constitution of India

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:-

1. Short title and commencement: (1) This Act may be called the Constitution (ninety-fifth Amendment) Act, 2009

(2) It shall come into force on the 25th day of January, 2010

2. Amendment of article 334: In article 334 of the Constitution, for the words “sixty years”, the words “seventy years” shall be substituted.

V.K. BHASIN

Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 10

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 10 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ಫೆಬ್ರವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 31ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Payment of Gratuity (Amendment) Act, 2009 (No. 47 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 31st December 2009/Pausa 10, 1931(Saka)

The following Act of Parliament, received the assent of the President on the 31st December, 2009 and is hereby published for general information:

THE PAYMENT OF GRATUITY (AMENDMENT) ACT, 2009

(NO. 47 OF 2009)

[31st December, 2009]

An Act further to amend the Payment of Gratuity Act, 1972

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:-

1. Short title and commencement: (1) This Act may be called the Payment of Gratuity (Amendment) Act, 2009

(2) It shall be deemed to have come into force on the 3rd day of April, 1997

2. Amendment of section 2: In the Payment of Gratuity Act, 1972 (39 of 1972) (hereinafter referred to as the principal Act), in section 2, for clause (e), the following clause shall be substituted, namely:

'(e) "employee" means any person (other than an apprentice) who is employed for wages, whether the terms of such employment are express or implied, in any kind of work, manual or otherwise, in or in connection with the work of a factory, mine, oilfield, plantation , port, railway company, shop or other establishment to which this Act applies, but does not include any such person who holds a post under the Central Government or a State Government and is governed by any other Act or by any rules providing for payment of gratuity;'

3. Insetion of new section 13A: After section 13 of the principal Act, the following section shall be inserted, namely:-

"13A. Validation of payment of gratuity: Notwithstanding anything contained in any judgement, decree or order of any court, for the period commencing on and from the 3rd day of April 1997 and ending on the day on which the Payment of Gratuity (Amendment)Act, 2009 receives the assent of the President the gratuity shall be payable to an employee in pursuance of the notification of the Government of India in the Ministry of Labour and Employment vide number S.O. 1080, dated the 3rd day April, 1997 and the said notification shall be valid and shall be deemed always to have been valid as if the Payment of Gratuity (Amendment) Act, 2009 had been in force at all material times and the gratuity shall be payable accordingly:

Provided that nothing contained in this section shall extend or be construed to extend to affect any person with any punishment or penalty whatsoever by reason of the non-payment by him of the

gratuity during the period specified in this section which shall become due in pursuance of the said notification

V.K. BHASIN

Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 11

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 11 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ಫೆಬ್ರವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 31ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The National Rural Employment Guarantee (Amendment) Act, 2009 (No. 46 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 31st December 2009/Pausa 10, 1931(Saka)

The following Act of Parliament, received the assent of the President on the 31st December, 2009 and is hereby published for general information:

THE NATIONAL RURAL EMPLOYMENT GUARANTEE (AMENDMENT) ACT, 2009

(NO. 46 OF 2009)

[31st December, 2009]

An Act to amend the National Rural Employment Guarantee Act, 2005.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:-

1. Short title and commencement: (1) This Act may be called the National Rural Employment Guarantee (Amendment) Act, 2009

(2) It shall be deemed to have come into force on the 2nd day of October, 2009.

2. Amendment of section 1: In the National Rural Employment Guarantee Act, 2005 (42 of 2005) , in sub-section (1) of section 1, for the words “the National Rural Employment Guarantee Act”, the words “the Mahatma Gandhi National Rural Employment Guarantee Act”, shall be substituted.

V.K. BHASIN

Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 12

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 13 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ಫೆಬ್ರವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 31ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The State Bank of Saurashtra (Repeal)and the State Bank of India (Subsidiary Banks) Amendment Act, 2009 (No. 48 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 31st December 2009/Pausa 10, 1931(Saka)

The following Act of Parliament, received the assent of the President on the 31st December, 2009 and is hereby published for general information:

THE STATE BANK OF SAURASHTRA (REPEAL)AND THE STATE BANK OF INDIA (SUBSIDIARY BANKS) AMENDMENT ACT, 2009

(NO. 48 OF 2009)

[31st December, 2009]

An Act to repeal the State Bank of Saurashtra Act, 1950 and further to amend the State Bank of India (Subsidiary Banks) Act, 1959. .

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:-

Chapter-I

Preliminary

1. Short title and commencement: (1) This Act may be called the State Bank of Saurashtra (Repeal) and the State Bank of India (Subsidiary Banks) Amendment Act, 2009.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

REPEAL OF THE STATE BANK OF SAURASHTRA ACT, 1950

2. Repeal and savings: (1) The State Bank of Saurashtra Act, 1950 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken including any agreement entered into, under the provisions of the State Bank of Saurashtra Act, 1950, by the State Bank of Saurashtra shall continue to be in force and have effect as if this Act has not been enacted.

(3) The mention of particulars in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the general Clauses Act, 1897 (10 of 1897), with regard to the effect of repeal.

CHAPTER III

AMENDMENT TO THE STATE BANK OF INDIA (SUBSIDIARY BANKS) ACT, 1959

3. Amendment of section 2: In section 2 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959) (hereafter in this Chapter referred to as the Subsidiary Banks Act),

(i) in clause (a), sub-clause(iv) shall be omitted;

(ii) clause (i) shall be omitted;

(iii) in clause (k), the words “and the Saurashtra Bank” shall be omitted

4. Amendment of section 14: In the Subsidiary Banks Act, in section 14-

(i) In the marginal heading the words"the Saurashtra Bank" shall be omitted;

(ii) in sub-section (1), the words "the state Government of Gujarat in respect of the Saurashtra Bank" shall be omitted;

(iii) in sub-section (2) and in the proviso, the words"the State Government of Gujarat, and "or the State Government of Gujarat", shall respectively, be omitted;

(iv) in sub-section (3), the words"the State Government of Gujarat" shall be omitted;

(v) in sub-section (4) the words"the State Government of Gujarat" shall be omitted.

5. Amendement of section 23: In the Subsidiary Banks Act, in section 23-

(i) for the words "the Hyderabad Bank and the Saurashtra Bank", the words "and the Hyderabad Bank" shall be substituted;

(ii) for the words, "the Hyderabad Bank or the Saurashtra Bank" the words "or the Hyderabad Bank" shall be substituted.

6. Amendment of section 42: In the Subsidiary Banks Act, in section 42, for the words "the Hyderabad Bank or the Saurashtra Bank" the words "or the Hyderabad Bank" shall be substituted.

7. Amendment of section 46 : In the Subsidiary Banks Act, in section 46,-

(i) in the marginal heading the words "And the Saurashtra Bank" shall be omitted;

(ii) in sub-section (1) the words "or the Saurashtra Bank "shall be omitted;

(iii) the Explanation shall be omitted.

8. Amendment of section 47: In the Subsidiary Banks Act, in section 47 in sub-section (1), for the words " the Hyderabad Bank or the Saurashtra Bank", the words "or the Hyderabad Bank" shall be substituted.

9. Amendment of section 49: In the Subsidiary Banks Act, in section 49-

(i) in sub-section (1),the words "or the Saurashtra Bank" shall be omitted;

(ii) in sub-section (2), the words "or of the Saurashtra Bank" shall be omitted;

(iii) in sub-section (3), the words "or the Saurashtra Bank" shall be omitted.

10. Amendment of section 56: In the Subsidiary Banks Act, in section 56,:-

(i) in the marginal heading, the words" and the State Bank of Saurashtra" shall be omitted;

(ii) the words "and the Saurashtra Bank" shall be omitted;

(iii) the words "or the Saurashtra Bank, as the case may be", at both the places where they occur, shall be omitted.

11. Amendment of First Schedule: In the First Schedule to the Subsidiary Banks Act, in paragraph 1, in sub-paragraph A, for the words "the Bank of Patiala or the Saurashtra Bank, the words "or the Bank of Patiala" shall be substituted.

V.K. BHASIN
Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 14